

**United States District Court
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

Alexsam, Inc.

v.

**J.C. Penney Company, Inc., and
J.C. Penney Corporation**

Case No. 2:13-cv-5

ORDER OF DISMISSAL

Before the Court are the Joint Stipulations of Dismissal filed by Plaintiff Alexsam, Inc. (“Alexsam”) and Defendants J.C. Penney Company, Inc. and J.C. Penney Corporation (collectively “J.C. Penney”) (Doc. No. 269). Having considered the parties’ stipulations and finding good cause, the Court is of the opinion that the parties’ Joint Stipulations of Dismissal should be **GRANTED**.

It is therefore **ORDERED**:

1. All claims that were or could have been asserted by Alexsam against J.C. Penney in this action are dismissed with prejudice.
2. All counterclaims asserted by J.C. Penney in this action are dismissed without prejudice.
3. Alexsam shall bear its own attorneys’ fees and costs. J.C. Penney shall bear its own attorneys’ fees and costs, subject to the exceptions set forth in the parties’ Joint Stipulations of Dismissal.
4. The Court retains jurisdiction over Alexsam and J.C. Penney for purposes of enforcing the stipulations set forth in the parties’ Joint Stipulations of Dismissal.

5. The Clerk will enter an appropriate Final Judgment closing this action

It is SO ORDERED.

SIGNED this 17th day of October, 2013.

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive style with a large, stylized "M" and "S".

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE